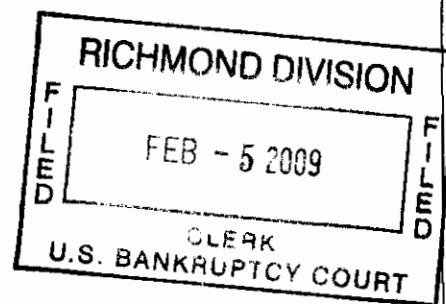


1 SATCHIDANANDA MIMS
2 P.O. BOX 19304
3 OAKLAND, CA 94619
4 510-530-6345
5 ("Creditor") In Pro Se



5 UNITED STATES BANKRUPTCY COURT
6 EASTERN DISTRICT OF VIRGINIA

7 In re:
8 CIRCUIT CITY STORES, INC., et al.
9 Debtor(s).

Case No.: 08-35653-KRH

Chapter 11

(Jointly Administered)

10 **CREDITOR'S MOTION FOR LEAVE TO
11 ATTEND HEARING TELEPHONICALLY**

12 **DATE:** February 13, 2009

13 **TIME:** 10:00 a.m.

14 **DEPT:** Room 5000

JUDGE: Honorable Kevin R. Huennekens

15 **MOTION FOR LEAVE OF COURT TO ATTEND HEARING BY TELEPHONE**

16 Satchidananda Mims a.k.a. Satchi Mims a ("creditor") in pro se in the above-captioned
17 chapter 11 cases pursuant to the Court's Order Pursuant to Bankruptcy Code Sections 102 and
18 105, Bankruptcy Rules 2002 and 9007, and Local Bankruptcy Rules 2002-1 and 9013-1
19 Establishing Certain Notice, Case Management, and Administrative Procedures, hereby moves
20 for leave of Court to attend the February 13, 2009 hearing by telephone. In support thereof,
21 Creditor states as follows:

22 1. On November 10, 2008 (the "Petition Date"), the above-captioned debtors and debtors-
23 in-possession (collectively, "Debtors"), filed voluntary petitions in this Court for relief under
24 chapter 11 of title 11 of the United States Code (the "Bankruptcy Code").
25 2. On November 13, 2008, the Court entered an Order Pursuant to Bankruptcy Code
26 Sections 102 and 105, Bankruptcy Rules 2002 and 9007, and Local Bankruptcy Rules 2002-1
27 and 9013-1 Establishing Certain Notice, Case Management, and Administrative Procedures (the,

28 MOTION FOR LEAVE TO ATTEND HEARING BY TELEPHONE/- 1

1 "Order"). On page 5 of Exhibit A, the Order states: "g) upon request, the Court may allow
2 counsel to listen to a hearing by telephone. If a matter is contested, counsel must attend in
3 person, unless leave of the court is granted on a case by case basis."

4 3. On or about January 27, 2009 Creditor filed a motion for relief from the automatic
5 stay put into place by Debtors Chapter 11 Bankruptcy filing. The motion was filed requesting to
6 continue pending litigation in the Superior Court of California for the County of Alameda. The
7 hearing date was initially set for February 18, 2009 and was amended to reflect the courts
8 omnibus hearing date of February 13, 2009.

9 4. Creditor will be unable to attend the hearing, because he lives thousands of miles
10 away in the state of California and the hearing is in the state of Virginia. Furthermore, he has no
11 adequate form of transportation and does not have the financial resources to travel to the hearing.
12 In addition Creditor's employer only grants limited time off with pay and taking time off from
13 work without pay to travel from California to Virginia for the February 13, 2009 hearing would
14 cause Mr. Mims undue financial hardship.

15 5. Based on Mr. Mims ("Creditor") being in pro se, and his unique knowledge of the
16 facts and legal arguments in this case, the ends of justice will be served by allowing Mr. Mims to
17 appear by telephone.

18 **WHEREFORE**, Creditor respectfully request that this Court grant its Motion and enter
19 an Order substantially in the form annexed hereto permitting Mr. Mims to appear and be heard
20 by telephone at the hearing on February 13, 2009 and grant such other relief as necessary and
21 appropriate.

22
23 Dated this 2nd day of February, 2009
24
25
26
27
28

(Handwritten signature of Satchi Mims)
SATCHIDANANDA MIMS
a.k.a. Satchi Mims
("Creditor") In pro se

1 SATHCIDANANDA MIMS
2 P.O. BOX 19304
3 OAKLAND, CA 94619
4 510-530-6345
5 ("Creditor") In Pro Se

6
7 UNITED STATES BANKRUPTCY COURT
8 EASTERN DISTRICT OF VIRGINIA

9 In re:
10 CIRCUIT CITY STORES, INC., et al.
11 Debtor(s)

12 Case No.: 08-35653-KRH
13 Chapter 11
(Jointly Administered)
Declaration of Service by Mail
[Proof of Service]
14 DATE: February 13, 2009
TIME: 10:00 a.m.
DEPT: Room 5000
JUDGE: Honorable Kevin R. Huennekens

15 Proof Service

16 Ms. Akenduca Beasley, the undersigned, hereby declares:

17 I am a citizen of the United States. I am over the age of 18 years and not a party to within action.
18 On February 03, 2009, at the direction of Satchidananda Mims a.k.a Satchi Mims, ("Creditor") in
19 Pro Se, I served a copy of this Motion For Leave to Attend Hearing by telephone, upon each
20 party required to receive notice under Local Bankruptcy Rule 4001(a)-1(E) (1), postage thereon
21 fully prepaid, a true copy of thereof as follows:

22 Counsel to the Debtors 23 Dion W. Hayes, Esq. 24 Douglas M. Foley, Esq. 25 McGuire Woods LLP One James Center 901 E. Cary Street Richmond, VA 23219	26 Counsel to the Debtors 27 Gregg M. Galardi, Esq. 28 Ian S. Fredericks, Esq. Skadden, Arps, Slate, Meagher & Flom, LLP One Rodney Square PO Box 636 Wilmington, DE 19899-0636
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1	<u>Counsel to the Debtors</u> Timothy G. Pohl, Esq. Chris L. Dickerson, Esq. Skadden, Arps, Slate, Meagher & Flom LLP 333 West Wacker Drive Suite 2000 Chicago, IL 60606	United States Trustee Robert B. Van Arsdale, Esq. Office of the United States Trustee Richmond, Virginia Office 701 East Broad Street, Suite 4304 Richmond, VA 23219-1888
6	<u>Official Committee of Unsecured Creditors</u>	<u>Official Committee of Unsecured Creditors</u>
7	Alan J. Kornfeld, Esq. Brad R. Godshall, Esq. Gillian N. Brown, Esq. Jeffrey N. Pomerantz, Esq. Pachulski Stang Ziehl & Jones, LLP 10100 Santa Monica Blvd, 11th Floor Los Angeles, CA 90067-4100	John D. Fiero, Esq. Pachulski Stang Ziehl & Jones LLP 150 California Street, 15th Floor San Francisco, CA 94111-4500

I declare under penalty of perjury that the foregoing is true and correct.

Service Executed at Oakland, California on February 03, 2009.

Dated this 3rd day of February, 2009



AKENDUCA BEASLEY

SATCHIDANANDA MIMS
P.O. BOX 19304 ~ Oakland, California 94619
(510) 530-6345 smims21@hotmail.com

February 2, 2009

Attn: William C. Redden, Clerk of the Court
U.S. Bankruptcy Court
701 East Broad Street
Richmond, VA 23219-1888

Re: In re: Circuit City Stores, Inc., et al.

Dear sir or madam:

Please file the Motion for leave to attend the court hearing telephonically, endorse the copy and place it in the return addressed envelope with postage prepaid already in your possession.

If you have questions or concerns feel free to contact me. Thanks to you for your prompt attention to this matter and your time.

Very truly yours,



Satchidananda Mims